IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

Crl.Rev.Pet.No. 383 of 1999()

CRA.78/1998 of IV ADDL.SESSIONS COURT, ER NAKULAM DT. 27.2.99
CC.294/1996 of JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM
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REVN. PETITIONER: APPELLANT/ ACCUSED

N.ARAVINDAN @ N.ARAVINDAKSHAN,
S/O.KRISHNAN, PEEDIYAKKAL,
MARADU P.O., ERNAKULAM.

BY ADV. SRI.T.KURIAKOSE PETER

RESPONDENTS: RESPONDENTS/ COMPLAINANT
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1. **C.V.SARASWATHY, W/O.E.V.PUSHPARAJAN,**
   NADUVATTUPARAMBIL HOUSE,
   CHOTTANIKKARA P.O.,
   ERNAKULAM DISTRICT

2. **STATE OF KERALA,. REP.BY THE PUBLIC**
   PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.DILIP .S.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.383/1999

ORDER ON CRL.MP. NO.1615/1999 IN CRL.RP. 383/1999

DISMISSED

12.07.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.S. TO JUDGE

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K.R. UDAYABHANU, J.

CRL.R.P.NO. 383 of 1999

DATED THIS THE 12th July 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of he Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.75,000/-. It is also ordered that out of the fine amount, Rs.50,000/- to be paid to the complainant towards compensation.

2. The cheque amount involved is Rs.50,000/-. Counsel for the revision petitioner has only sought for modification of the sentence.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.50,000/- to the complainant under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for three months. The revision petitioner is granted six months time to pay the compensation. He shall appear before the Judicial Magistrate of First Class-I, Ernakulam on 14-1-2008 to receive sentence. The Crl. revision petition is disposed of accordingly.

Sd/-

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

CRL.R.P.NO. 383 OF 1999
ORDER

12-7-2007